1 2 3 4 5 6 7 8	JOHN C. ULIN (State Bar No. 165524) John.Ulin@aporter.com ERIC D. MASON (State Bar No. 259233 Eric.Mason@aporter.com ARNOLD & PORTER LLP 777 South Figueroa Street, 44th Floor Los Angeles, California 90017-5844 Telephone: (213) 243-4000 Facsimile: (213) 243-4199  Attorneys for Plaintiff and Counter-Defe	
9	LINITED STATE	S DISTRICT COURT
10	CENTRAL DISTRICT OF CALIFORNIA	
11	WESTERN DIVISION	
12	RCRV, INC. d/b/a ROCK REVIVAL, a California corporation,	) Case No.: 12-Civ-07609 (SVW)
13		) Hon. Stephen V. Wilson
14	Plaintiff,	) PERMANENT INJUNCTION ON
15	V.	CONSENT
16 17 18	J.L.J., INC., a California Corporation d/b/a LAGUNA BEACH JEAN CO., and STEVE KIM, an individual,	) [NOTE COURT MODIFICATIONS] ) JS-6 )
19	Defendants.	) )
20	J.L.J., INC,	
21	Counter-Complainant,	)
22		) )
23	V.	) )
24	RCRV, INC,	) )
25	Counter-Defendant.	, ) )
26		<i>)</i>
27		

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WHEREAS, Plaintiff and Counter-Defendant RCRV, Inc., d/b/a Rock Revival ("RCRV"), on the one hand, and Defendant and Counter-Complainant J.L.J., Inc. d/b/a Laguna Beach Jean Company ("Laguna") and Defendant Steve Kim ("Kim") (Laguna and Kim being collectively referred to as "Defendants"), on the other hand, have stipulated to the entry of judgment and a permanent injunction, as set forth in their concurrently filed Stipulation for Entry of Consent Judgment and Permanent Injunction; and

WHEREAS, after having reviewed and considered the parties' Stipulation, this Court finds that it has jurisdiction over the subject matter of this action and over the Parties, and venue in this action is proper in this judicial district; and

WHEREAS, RCRV is the owner of federally registered and/or common law trademarks for certain designs it uses on and in connection with its ROCK REVIVAL line of jeanswear products, including an Inverted Fleur-de-lis Design embroidered onto the rear pocket of its jeanswear products (the "INVERTED FLEUR-DE-LIS DESIGN Trademark"), copies of the registration certificate for and photograph of the INVERTED FLEUR-DE-LIS DESIGN Trademark being attached hereto as Exhibit A; and

WHEREAS, RCRV filed a Complaint against Defendants in the United States District Court for the Central District of California, in an action captioned *RCRV*, *Inc. d/b/a Rock Revival v. J.L.J.*, *Inc. d/b/a Laguna Beach Jean Co. et al*, 12-Civ-07609 (C.D. Cal.) (SVW) (the "Civil Action"), seeking injunctive relief and damages for breach of contract, arising out of Defendants' alleged advertising, promotion, marketing, offer for sale and sale of jeanswear products bearing Inverted Fleur De Lis Designs in violation of the parties' July 6, 2012 Settlement Agreement (the "Accused Designs"), copies of photographs of the Accused Designs being attached hereto as Exhibit B; and

WHEREAS, Laguna and Kim filed an Answer to the Complaint denying all of RCRV's claims, and in addition filed Counterclaims against RCRV (the "Counterclaims"); and

WHEREAS, the parties have amicably resolved their dispute, and have entered into a Settlement Agreement relating to same.

#### IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

- 1. Defendant Laguna and its agents, affiliates, divisions, parents, subsidiaries, related companies, and all natural or legal persons acting on their behalf, or in active concert with any of them, including Defendant Kim, shall be PERMANENTLY ENJOINED and RESTRAINED from the date of this Consent Judgment and Permanent Injunction from:
- (a) designing, manufacturing, advertising, promoting, marketing, importing, exporting, distributing, offering for sale and/or selling any products bearing the Accused Designs; and
- (b) designing, manufacturing, advertising, promoting, marketing, importing, exporting, distributing, offering for sale and/or selling any other products that contain or bear any design that is confusingly similar to the INVERTED FLEUR-DE-LIS DESIGN Trademark.
- 2. This Consent Judgment and Permanent Injunction is enforceable against Defendants' affiliates, subsidiaries, parents, related companies, successors and assigns to the extent permitted by law.
- 3. The Court retains jurisdiction of this action for the purpose of enforcing the provisions of this Consent Judgment and Permanent Injunction by way of contempt motion or otherwise.
- 4. Except as provided herein, the Parties' respective claims are hereby dismissed with prejudice.
- 5. The parties waive any right to appeal this Consent Judgment and Permanent Injunction.

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6. The parties shall bear their own costs and attorneys' fees related to this action. DATED: May 9, 2013 STEPHEN V. WILSON United States District Judge 

## EXHIBIT A

# United States of America United States Patent and Trademark Office



Reg. No. 4,248,371 RCRV,

RCRV, INC. (CALIFORNIA CORPORATION)

Registered Nov. 27, 2012 LOS ANGELES, CA 90058

SEC. 2(F).

Int. Cl.: 25

FOR: APPAREL, NAMELY, JEANS, SHORTS AND SKIRTS, IN CLASS 25 (U.S. CLS. 22 AND

39).

TRADEMARK

FIRST USE 11-23-2005; IN COMMERCE 3-17-2006.

PRINCIPAL REGISTER

THE MARK CONSISTS OF A THREE-DIMENSIONAL DESIGN FEATURE CONSISTING OF A STYLIZED INVERTED FLEUR DE LIS DESIGN STITCHED ON THE BACK POCKET OF A JEANS PRODUCT, DEPICTED IN THE DRAWING AS A SOLID BLACK LINE. THE DOTTED OUTLINE OF THE GOODS IS INTENDED TO SHOW THE POSITION OF THE MARK AND IS NOT PART OF THE MARK AS SHOWN.

SER. NO. 85-330,951, FILED 5-26-2011.

MARK SPARACINO, EXAMINING ATTORNEY



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### **EXHIBIT B**



http://shoplbjc.com/prodimages/Men\_Phantom\_Raw\_CrystalCove\_1.jpg

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http://shoplbjc.com/prodimages/Men\_Phantom\_DarkBlue\_CrystalCove\_1.jpg

6/29/2012



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6/29/2012

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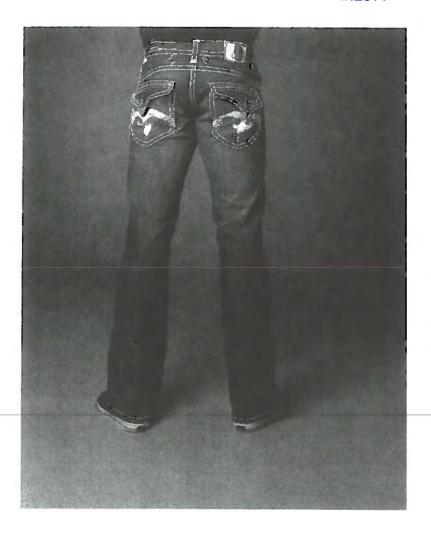
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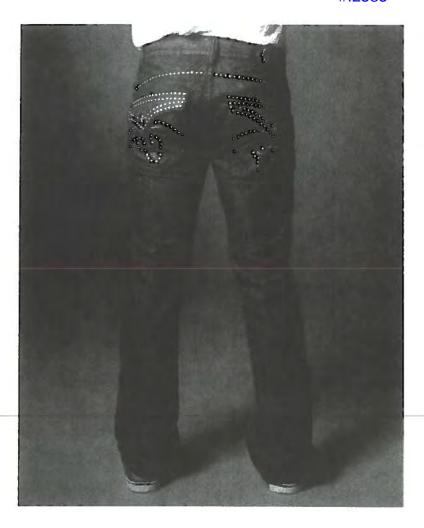


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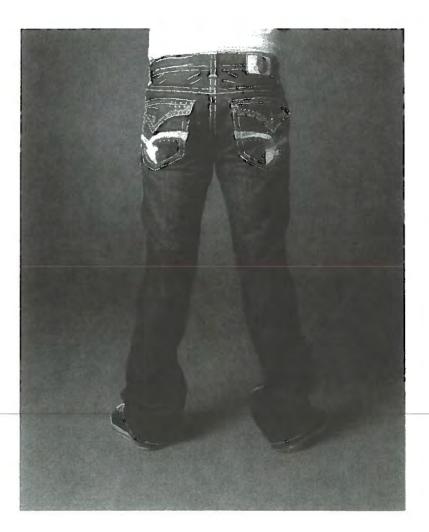


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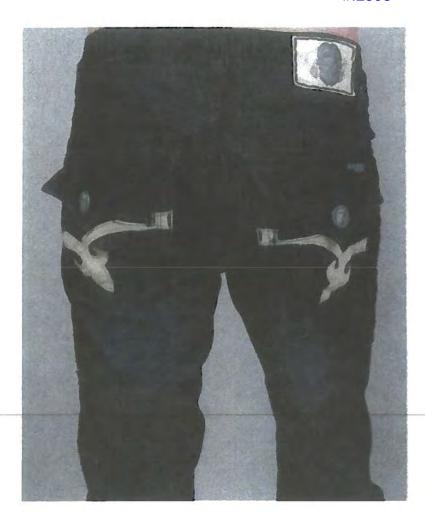
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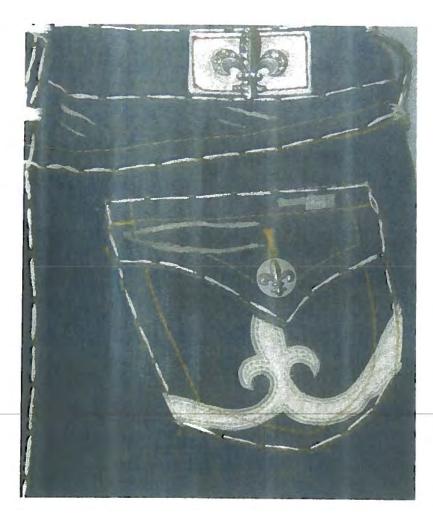
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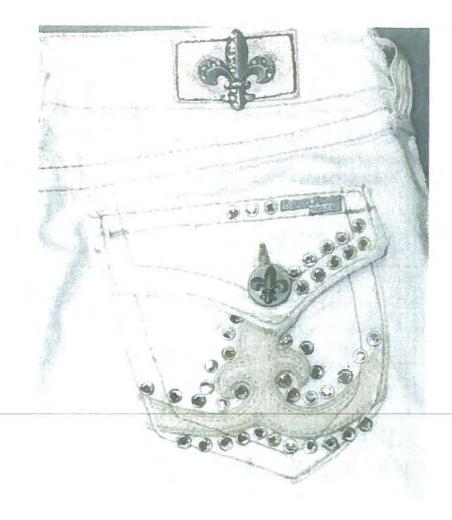
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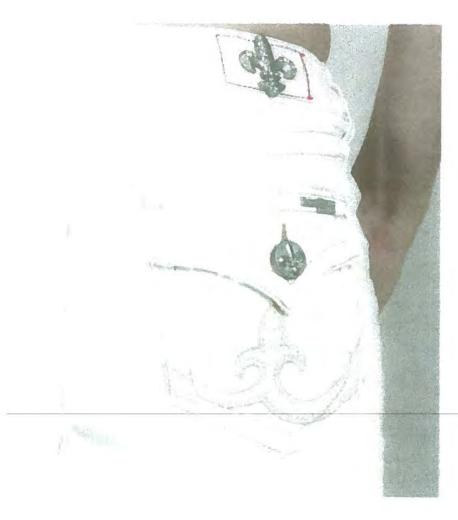
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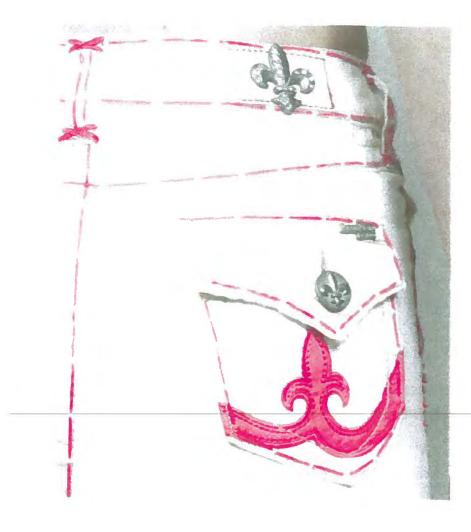
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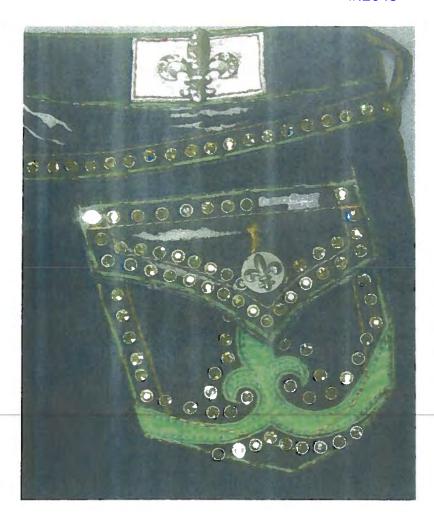
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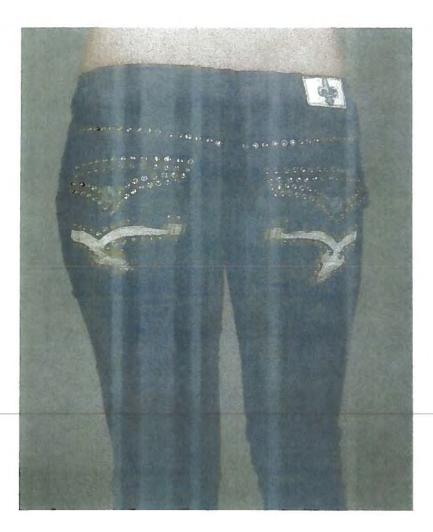
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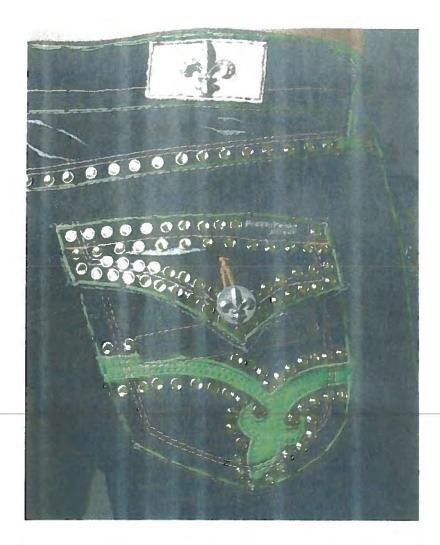
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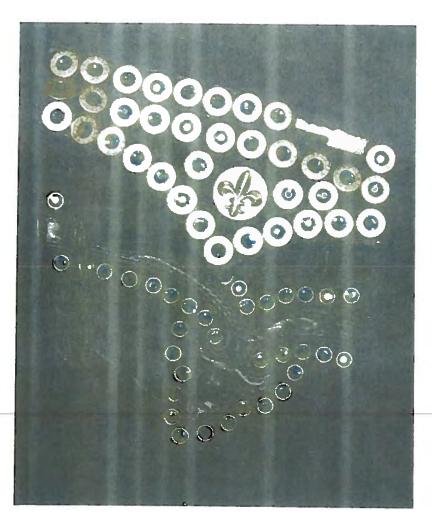
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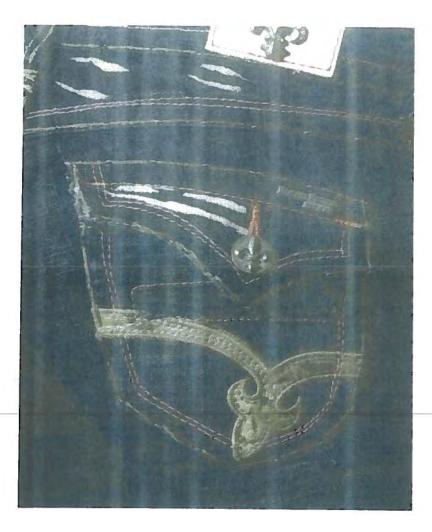
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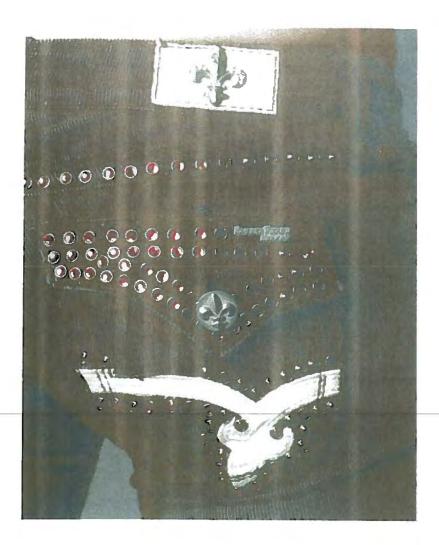


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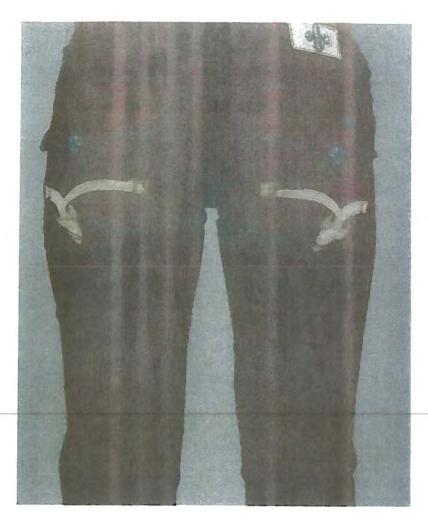


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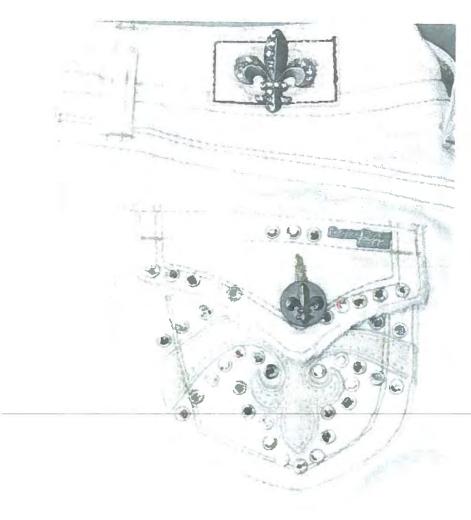
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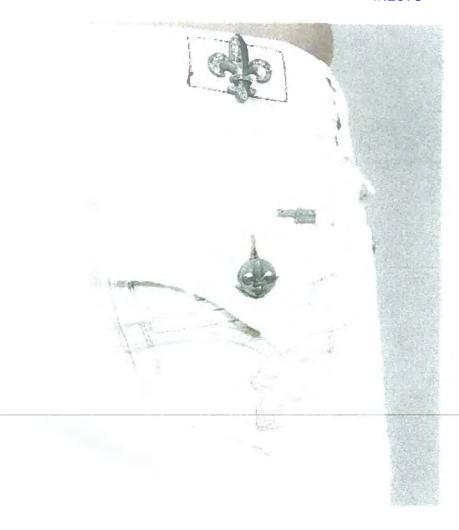
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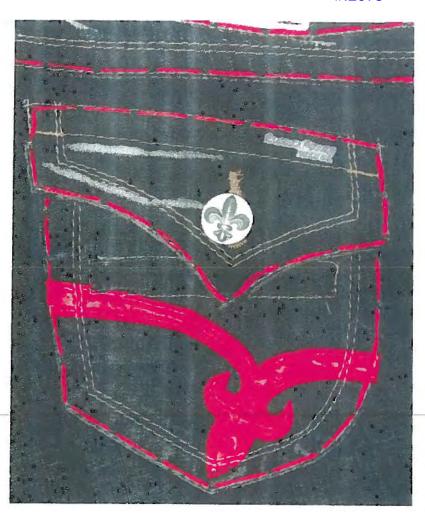
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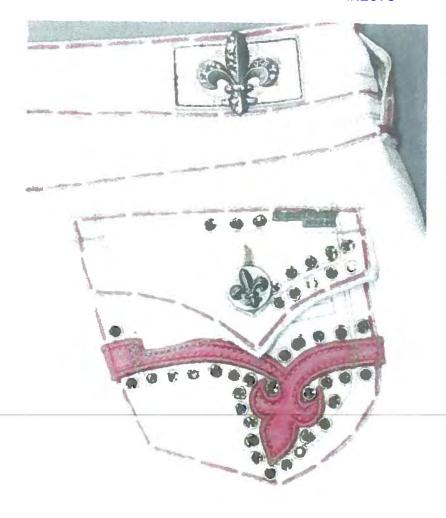




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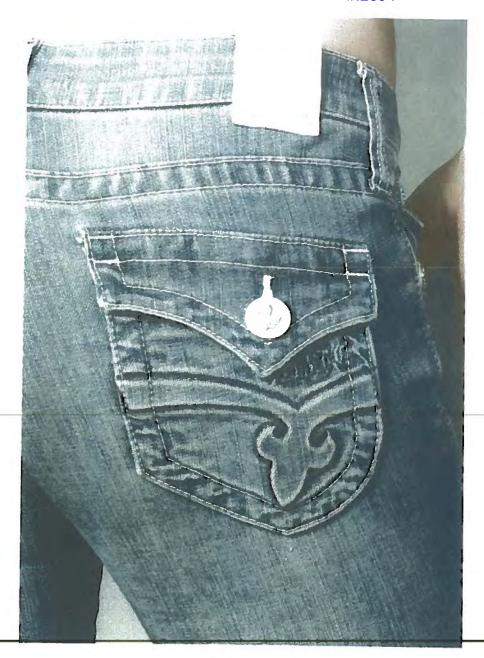
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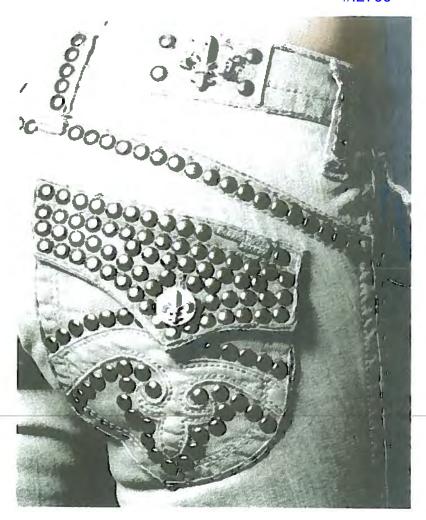
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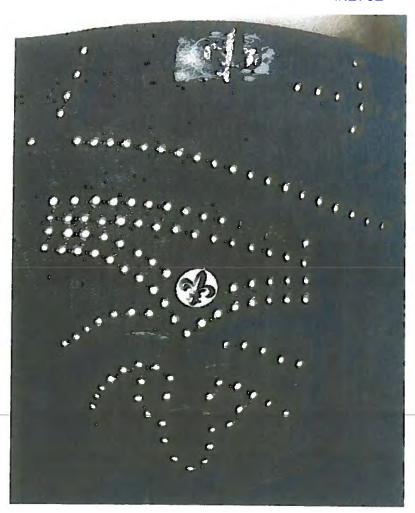




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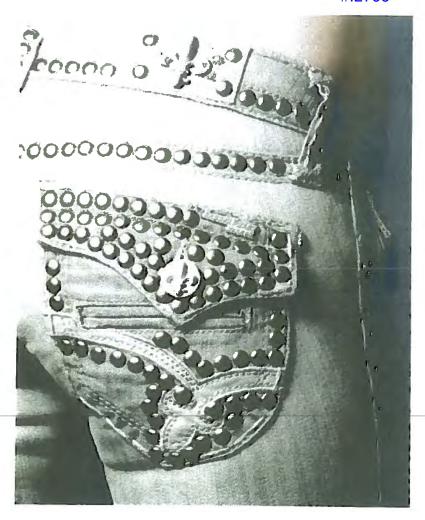


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